

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

|                             |   |                        |
|-----------------------------|---|------------------------|
| IN RE: RICARDO KING         | : | CHAPTER 13             |
| Debtor(s)                   | : |                        |
|                             | : |                        |
| CHARLES J. DEHART, III      | : |                        |
| STANDING CHAPTER 13 TRUSTEE | : |                        |
|                             | : |                        |
| vs.                         | : |                        |
|                             | : |                        |
| RICARDO KING                | : |                        |
| Respondent(s)               | : | CASE NO. 5-16-bk-04037 |

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 12th day of December, 2016, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required. More specifically,

Trustee alleges and avers that debtor(s)' disposable income is greater than that which is committed to the plan based upon disposable income on Schedules I and J and specifically disputes the following amounts:

- a. Garnishment from pay for tax
2. Schedule B and C lacks description.
3. The Trustee avers that debtor(s)' plan is not feasible based upon the following:
  - a. The plan is underfunded relative to claims to be paid – 100% plan.
  - b. Secured claims not in plan.
4. The Trustee provides notice to the Court as to the ineffectiveness of debtor(s) Chapter 13 Plan for the following reasons:
  - a. Failure to use the Model Plan as adopted by the Court.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 15th day of December, 2016, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

John Caffese, Esquire  
803 Main Street  
Stroudsburg, PA 18360

/s/Deborah A. Behney  
Office of Charles J. DeHart, III  
Standing Chapter 13 Trustee